

Amendments to House Bill No. 483
1st Reading Copy

EXHIBIT 1
DATE 2-21-09
HB 483

Requested by Representative Llew Jones

For the House Federal Relations, Energy, and Telecommunications
Committee

Prepared by Todd Everts
February 20, 2009 (12:18pm)

1. Title, line 6.
Strike: "A PARTY"
Insert: "CERTAIN PARTIES"
2. Title, line 11.
Strike: "120"
Insert: "150"
3. Page 1, line 21 through line 22.
Strike: "by" on line 21 through "applicant" on line 22
4. Page 1, line 25.
Following: "may,"
Insert: "by filing a written election with the board"
5. Page 1, line 26.
Following: "receipt"
Insert: "by the applicant or permittee"
6. Page 1, line 28.
Following: "applicant"
Insert: "or permittee"
7. Page 2, line 6.
Strike: "or evidence"
8. Page 2, line 9.
Following: "(c)"
Insert: "(i)"
Strike: "If"
Insert: "Except as provided in subsection (1)(c)(ii), if"
9. Page 2, line 11 through line 14.
Following: "employees" on line 11
Insert: "."
Strike: "unless" on line 11 through "injunctions." on line 14
Insert: "(ii) The board or the court may not require a written undertaking if:

(A) the board or the district court determines that:
(I) issuance of the permit was prohibited by statute; or
(II) the request for a hearing or judicial review was not
for an improper purpose designed to harass, cause delay, or
improperly interfere with the issuance of the permit; or
(B) the party requesting the hearing is an indigent person."

10. Page 2, line 20.

Strike: "120"

Insert: "150"

11. Page 2, line 21.

Strike: "agrees"

Insert: "and the person requesting the hearing agree"

12. Page 2, line 23.

Following: "proceeding"

Insert: ", but not by more than 12 months,"

13. Page 2, line 24.

Following: "writing."

Insert: "If there are multiple appeals of one permit, tolling
under this subsection may not exceed a total of 12 months
for all appeals."

14. Page 17, line 22.

Strike: "If"

Insert: "(1) Except as provided in subsection (2), if"

15. Page 17, line 25 through line 27.

Following: "permittee" on line 25

Insert: "."

Strike: "unless" on line 25 through "injunctions." on line 27

Insert: "(2) The district court may not require a written
undertaking if:

(a) the district court determines that:

(i) issuance of the permit was prohibited by statute; or

(ii) the request for judicial review was not for an improper
purpose designed to harass, cause delay, or improperly interfere
with the issuance of the permit; or

(b) the party requesting the hearing is an indigent person."

16. Page 18, line 7.

Strike: "by a party other than the applicant"

17. Page 18, line 21.

Strike: "or evidence"

18. Page 18, line 30.

Strike: "120"

Insert: "150"

19. Page 19, line 1.

Strike: "agrees"

Insert: "and the person requesting the hearing agree"

20. Page 19, line 9.

Insert: "NEW SECTION. **Section 10. {standard} Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

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